



CHARACTERISTICS OF THE LEGISLATIVE PRODUCTION IN THE HOUSE OF REPRESENTATIVES FROM 2007 TO 2010¹

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Abstract: The objective of this work is to investigate the characteristics and find possible conditionings of the laws proposed by deputies and approved between 2007 and 2010, using a disaggregative methodology that classifies the laws according to its coverage, themes and effects. I analyzed the hypothesis that the laws have national coverage and benefic effects, which is a result of the formal system of work conditioning. The analysis showed that the most part of the laws were of national and sectorial coverage, honorific theme and neutral effects. I argued that these characteristics are consequence of the Executive's agenda control of the Parliament and a proportional representation of a high population that has regions of high electoral magnitude, which run over Camara's actuation, turning it increasingly focused in marginal subjects as naming streets, bridges and public buildings.

Keywords: Chamber of Deputies; Legislative Production; Legislative Power; Executive Power; Proportional Representation.

1. Introduction

Studies on the Brazilian Congress have shown, since the second half of the 1990s, which it presents characteristics that differ from those that were supposed up to then. Heavily influenced by American researches, the first studies that began to explain the parliamentary performance, regarded it as purely distributive, seeking to concentrate benefits for its electoral base and dividing costs among the entire population (AMES, 2003).

However, in the last decade, with more detailed analyses and greater concern about the empirical basis of the studies, a slightly different routine was observed, in which the parliamentarians in which parliamentarians actually presented a standard of approval of laws of scope national and non-concentrated, which was contrary to previous expectation (AMORIM NETO; SANTOS, 2003; FIGUEIREDO; LIMONGI, 1995; LEMOS, 2001).

This project proposes to advance this scope of study, by carrying out an analysis about the characteristics of the legislative production and investigating its constraints, focusing on more recent data. For that purpose, a period of analysis in which Brazil lived

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¹ The author thanks CNPq for the financing of this research.

a relative political and economic stability was chosen, to contrast with previous studies, from the early 1990s, when the country experienced turbulent periods in these areas, which could represent some bias for the characteristics of the laws. Focusing on the draft bills proposed by deputies (federal and state legislators) and passed into law in the period between 2007 and 2010, by means of a methodology that intends to disaggregate them by coverage levels, their effects and their themes, the hypothesis of having a national and charitable law of approval is analyzed, as opposed to the argument of a purely clientelist Parliament and to reinforce the thesis that the formal organization of the work prevents this type of action. It is understood that National laws are those that deal with issues that cover the whole territory, not restricted to any sector of society and to specific regions; it is understood by beneficial laws those that have a positive impact perceived by the individuals directly affected by them, being they evident material or social benefits, such as road building or building a new school, or a campaign for organ donation. 185 laws of deputies' initiative were analyzed, collected from the House of Representatives website.

In the following section, a brief context of the legislative studies in Brazil and their development until the consolidation of the neo-institutionalism is included, highlighting some important works on the relations between the Executive and the Legislative with respect to the characteristics of the legislative production, highlighting its contribution. Following, the methodology section describes the categories and how the classification was performed, follows. Section 4 contains the compiled data and its description. Section 5 presents the analysis of the data followed by the conclusions.

2. Context of legislative studies

The constitution of the area of studies about the legislative in Brazil acquired its own profile in the 1990s. It represented the apex of the movement that sought to analyze the transition from closed systems to the new democracies. In the late 1980s and early 1990s, Latin America was in a troubled period when dictatorial military systems succumbed, and democratic systems were established, which intrigued researchers at the time. The studies of that period began to realize the youth of the Brazilian democratic institutions and emphasized the need of experience so that they could establish themselves.

Largely influenced by the American studies, these researches needed a systematic and objective analysis about democracy: they were not based on data neither of the countries that took as reference, nor of Brazil. They were strongly influenced by the modernization theory, conceived in the 1970s and were responsible for the shortcomings of underdeveloped countries at the time, considered as essentially authoritarian and passionate in nature (LIMONGI, 2010).

The main diagnoses in relation to the Brazilian case emphasized the fact that the National Congress was too fragmented, and the parties lacked the strength to structure the political dispute. Gradually, however, scholars began to ask questions related to the national context, while the comparative interest in relation to other presidential systems grew- this time focusing on objective data, such as draft bills and their votes. The explanation of the work moves from purely electoral/partisan determinations to the questioning of institutional relations, which emerged on the form of Executive/Legislative relations (LIMONGI, 2010).

Two works especially mark this transition and the emergence of Brazilian legislative studies. Figueiredo and Limongi (1995) take the initial step in highlighting the difference between the competencies of the Executive and Legislative Branches, comparing the new democratic period against the period begun in 1946. First, several prerogatives of the Executive installed by the militaries have remained, which makes it still the greatest legislator quintessentially.

In another paper, the authors go further and question a common assumption in the literature of the period: the fact that parties were weak in Brazil (LIMONGI, FIGUEIREDO, 1995). Based on voting data from the Congress, they demonstrate a high level of partisan discipline, which reveals that, in the legislative context, parties are, indeed, of great importance.

In fact, this literature clashed with earlier conceptions that Executive-Legislative relations were necessarily conflicting in presidential systems. Indeed, they demonstrate that the legislative strength of the parties and the predominance of the Executive as legislator are interdependent: the second is due to the first. The Executive forms a dominant coalition and guarantees its legislative preponderance thanks to party discipline.

In addition to the composition of the majority, the authors highlight a series of instruments available to the Executive Branch that guarantee its control over legislative

production: Provisional Measure (PM), request for urgency and control of the budget and public service. These constitutional guarantees would promote a system of congressional work in which the parliamentarians themselves delegate preponderance to the Executive, which would eventually promote distinct characteristics in the legislative production of the government base and that of the opposition (LEONI, 2002; ZUCCO, 2009).

These conclusions motivated the deepening of these issues in other studies. The case of Provisional Measures has caused a useful way of investigation in Brazilian Political Science. Given that its use became more and more frequent, regardless of the size of the base of support of this branch, the debates about what the benefits of the Executive in using PMs became recurrent, and why it chose to use this resource to the detriment of other types of laws became constant. (AMORIM NETO; TAFNER, 2002; PEREIRA; POWER; RENNÓ, 2005).

It didn't take long for the new studies noticed peculiar characteristics in the executive's role in the new Brazilian democracy, especially when compared to the period before the dictatorship. Still, apprehensions about the capacity to govern were frequent. Ames (2003), for example, questions whether in fact the high rate of approval of draft bills by the Executive, verified in the period, is reflected in governability.

However, the analyses end up following a different form from the one drawn by Ames (2003). New research shows that there is indeed governability in Brazil, using a common and shared agenda between the Executive and the Legislative when forming the dominant coalition (DÉEZA, 1997). Comparisons with parliamentary regimes – almost always seen as more effective systems in the area of governability – have been frequent in all periods. Some studies show that Brazilian presidential system is much closer to coalition parliamentary governance than expected (CHEIBUB, PRZEWORSKI, SAIEGH, 2002).

With regard to the particular role of the Brazilian Congress and its system of activities, studies in relation to this subject follow those that had revealed the interactions between Executive and Legislative. In addition to the initiatives of the Executive within the Parliament, political scientists also became interested in the Houses' own legislative action.

As previously mentioned, until then, the conception that dominated the literature was that the legislative production of the members of Congress was purely distributive, which caused problems of governability, added to an institutional regime in

which the Executive is strong and the parties weak and numerous (AMES, 2003). This conception was linked to the import of US studies. In US, where the electoral system is district, the distributive performance of the members of the House of Representatives makes sense and in practice is confirmed. Here, the researches begin to show that, in practice, this did not happen in fact, because the institutional variables themselves prevented this type of action (AMORIM NETO; SANTOS, 2003; LEMOS, 2001; RICCI, 2003, 2006). Starting with Figueiredo and Limongi, who, in their work on the new institutional order of branches (FIGUEIREDO; LIMONGI, 1995) noticed characteristics that would be fundamental for the subsequent analyses of the process of activities of the Brazilian Congress.

Unlike the United States, the main decision place in the Brazilian Parliament would be in the Plenary (and not in the Commissions). In addition, Brazilian activities were concentrated in the Leaders' Collegiate, which sets the agenda and has the power to give preference to certain draft bills, removing them from the Commissions and putting them to a vote in the Plenary. In general, these authors affirm that the Brazilian Congress presents an inefficient work system, which facilitates the Executive's performance and relegates its own influence, the influence of the plenary and of the Committees to a secondary plan, whereas the places of decision through the concentration of activities in the Leaders' Collegiate, which, moreover, facilitates the lobbyist action of the Executive itself.

Other projects followed this line of interpretation. Ricci (2003), for example, seeks to study the characteristics of the Brazilian legislative production. Considering both the electoral and legislative arenas, he notes that the costs of approving draft bills (long time to approval, usually in subsequent legislatures, the fact that most of the approved draft bills are for parliamentarians with more than one mandate, etc.) are high for the parliamentary strategy of acting with parochial policies. Alternatively, legislators would aim an action that demonstrates positions for a diffuse electorate, and not a territorially focused, which is also due to the high average electoral magnitude of the Brazilian states.

Amorim Neto and Santos (2003) follow in the same direction. In order to demonstrate what are the main factors that would influence the parliamentary performance and what would be the characteristics of the draft bills approved by them, the authors classify and analyze the draft bills presented by deputies and passed into law in 1985 and 1999, and all the draft bills presented in the year 1995, reaching similar

conclusions to Ricci's (2003): the conclusions that most of the draft bills are of national scope – in contrast to the previous literature forecast that parliamentarians had a distributive performance, and that characteristics such as how long they work at the House and the fact of having been a member of some position of the Executive branch bring the deputies greater probabilities of approval.

However, with regard to the categorization of draft bills, these studies do not concern with the operationalization of the characteristics in an exhaustive and complementary way with each other. This complicates the temporal analysis, affecting its clarity and objectivity, especially as regards the themes, which are only cited by some authors without attention to better definition and detailing.

In fact, the interest of the studies on the legislative production up to now has been more concerned about showing that the electoral arena itself explains little about the legislative results, that the legislative arena represents an important factor of explanation, and that the behavior of the Brazilian parliamentarian, different than previously thought, does not present a parochialist and regionally concentrated focus (AMORIM NETO, 2003; LEMOS, 2001; RICCI, 2003, 2006). Thus, the categorization of laws was carried out in a complementary way and with little dialogue among the studies.

Here is another area of interest in this study: to apply a classification that improves the study categories of the laws, so that the conclusions can be more objective, generalizing and clear about the constraints of the parliamentary performance. The analyses of draft bills carried out up to then cover a very recent period of the new Brazilian democracy. The studies cited here deal with the beginning of the country's legislative production, since the 1990s, extending to the beginning of the following decade. This is a period in which legislative projects were stabilizing after successive economic, political and social crises, which may require a particular approval system, having an influence on the analyses of the studies mentioned. In this article, we sought to compile the characteristics of the legislative production of deputies approved in a period of relative political and economic stability, from 2007 to 2010, in order to compare the results with those obtained in the literature.

3. Methodology

The methodology used was originally proposed by Palma (1976) for the study of the Italian Parliament, and improved by Taylor-Robinson and Diaz (1999) in the Honduran Parliament, and by Amorim Neto and Santos (2003) in the Brazilian Parliament. It consists of making a compilation of the Ordinary Draft Bills (Portuguese acronym: PL) and Complementary Draft Bills (Portuguese acronym: PLP) proposed by deputies in Brazil and approved in the 53rd legislature, the last one of Luiz Inácio Lula da Silva's period of government (01/01/2007 to 01/01/2011, the date that marks the end of his government and the election of her successor, Dilma Rousseff) – and to classify them according to the level of aggregation, effect of the proposals (draft bills) and themes.

Ordinary and Complementary Draft Bills selected were submitted to a conventional procedure (without the requirement of qualified majorities), of shared competence with other branches and, in general, dealt with civil society issues, unlike Legislative Decrees and Draft Resolutions, which focus on internal administrative or congressional competence issues, or the PECs (Portuguese acronym for Project of a Constitutional Amendment), which require a special procedure system (one-third of the House of Representatives for proposal and qualified majority for approval). The aim is to analyze the daily production of the deputies in the House of Representatives.

In relation to scope, the draft bills were classified as:

- National: Those of indistinct coverage for the entire population, e.g.: Addition of a fourteenth salary, making military service compulsory, binational or international agreements, etc.

- Regional: Those that cover a specific state or region, e.g.: Road construction that crosses great part of the Northeast Region, railway or project of potable water for a state or region, etc.

- Sectoral: Those that reach a class or sector of society, dispersed by more than one region, e.g.: Regulation of exchange offices, increase of teachers' salaries, credit incentives for entrepreneurs, etc.

- Local: Those that refer to a town or a set of towns, but do not reach a whole state, e.g.: Laws that regulate the transfer of funds to towns, creation of a municipal environmental reserve, etc.

- Individual: Those that refer to an individual or some physical or legal individuals, such as companies or specific professional organizations, e.g.: Creation of

pension for an individual, permission for a person to receive foreign congratulations, agreements with specific companies, selection of the supreme court, etc.

In relation to the effects, the draft bills can be:

- Beneficial: When the immediate effects to the subject or population are perceived as improvements, benefits or having positive results, be they obvious social benefits or materials, e.g.: road building, build of a new school, increase of salary, projects that amortize the debts of a company, simplification of the tax system (PL 1664/2007), creation of the category of individual entrepreneur (PL 4605/2009);

- Onerous: Those that are noticed as costly in the short term, e.g.: Increase in the regulation of exchange offices; a project on the control of military police to the civilian police is onerous for the militaries;

- Mixed: Those that are both beneficial to one sector and onerous to another, e.g.: Fourteenth salary (beneficial to contracted and onerous to contractors), privatization of a company (beneficial for helping public accounts, but onerous due to workers' insecurity); environmental reserves that protect local areas but limit industrial activity (both interests that must be adjusted locally);

- Neutral: Those that have a directly perceived impact or have a low social impact, e.g.: PL 206/2007, which authorizes the stepson to use the stepparent's family name; those that celebrate a specific event or honor someone (commemorative dates); that create a new seal or coin; that modify an existing contract without having changed rules that relate to some individual; that formalize acts that have already occurred in practice, bureaucratic and agency regulations.

Notice that only the effects on socially expressive subjects are considered. The effects on the state's perspective (for example, a public account impact) or the prospect of illegal activities (for example, PL 5607/2009, which increases the penalty for high concentration of blood alcohol for vehicle drivers) are not considered.

Also, the secondary subjects of analysis, which delimit a draft bill as mixed, are only considered when the effects are directly and immediately applied. If the secondary subjects are too abstract or involved only in the distant future, they are not considered in the evaluation. The objective is to qualify the draft bills according to the immediate impacts, which would influence the decisions due to the parliamentary interests in re-election.

It should also be noted that moral evaluations are disregarded. Only the evident

social benefits perceived by the expressive part of the population, such as environmental protection issues, and material benefits, such as wage increases, are considered. PL 706/2007, which prohibits the sale of sprays to people under 18, for example, is classified as neutral.

The classification of the themes was based on those proposed by Amorim Neto and Santos (2003). However, in the development of the analysis, an adaptation in the categories proposed by them was more appropriate. This occurred because they did not comprehensively cover the topics dealt with in all the draft bills analyzed during the study period, not addressing effectively their main themes or contrasting their differences. They lacked a greater detail to discuss at least why those classes were selected, what their limits were, and why it would have been a virtuous choice on their part.

The main reason for some distance from the themes proposed by Amorim Neto and Santos was the disproportionate compaction and the lack of clear definitions. Eight categories were created without detailing them satisfactorily. They are: economic, political, social, cultural-scientific-technological, administrative, budgetary, ecological, honorific. Among these, some are as null as the budgetary, which is of exclusive competence of the Executive and, therefore, does not represent any of the draft bills compiled. Others are as comprehensive as the social, which ends up encompassing the vast majority of the draft bills of their analysis, precisely because of their abstract characterization. Here, for example, this category is broken down into at least three with sharp distinctions: education, health, and regulation.

In order to complement the specification of an intent that indeed has considerable limitations regarding their objectivity, the following categories have been created, among which we sought to specify those that we believe need to be more detailed so that the reader's understanding is the closest to what the author is dealing with and how he is judging:

- Economic: It is related to economic and productive incentives, e.g.: PL 1305/2007, which includes areas of action for the governmental company for the promotion of development, and PL 1180/2007, which encourages the cultivation of bamboos;
- Political: Related to the political system and/or party;
- Cultural-Scientific-Technological;
- Ecological: Related to the environment and nature;

- Honoric: Congratulations and acknowledgments, dates and names of public bodies and buildings;

- Education;

- Health;

- Regulatory: Regulate some branch of activity or profession; establish standards for the performance of certain activities - not economic, productive, scientific and technological incentives; not relating to the political and party system nor to macro policies of health and education, e.g.: labor laws, norms for practicing specific professions; PL 5349/2009, which requires that there be noticeable prominence of the presence of latex in products containing this material.

For this classification, as the authors, we tried to observe the keywords and the title of the draft bills, generally making them easily classifiable. In cases with more than one subject, the most prominent topic was sought.

The data to be studied were obtained from the website of the House of Representatives of Brazil². Only the draft bills that in fact became a legal norm in the period from 2007 to 2010 were observed. 185 draft bills were counted, among them 181 PLs and 4 PLPs, all of them proposed by deputies.

4. Compilation of data

This section will describe the data obtained. Table 1 shows the coverage of the laws of the period.

Table 1 – Coverage of the laws of deputies approved from 2007 to 2010

	Coverage	Amount	Percentage	Cumulative	Percentage
Sectorial		62	33.5	33.5	
National		54	29.2		62.7
Individual		39	21.1		83.8
Local		28	15.1		98.9
Regional		2	1.1		100.0
Total		185		100.0	

Source: Prepared by the author.

It is possible to observe that much of the legislative production is either focused on a sector of society (33.5%) or is national (29.2%). Together, these two categories cover

more than 60% of the draft bills in the period. The following categories, which are usually related to a clientelist legislative production (individual and local coverage), present proportions of 21.1% and 15.1%, respectively, accounting for 36.2% of the total for the period.

Although they present a significant percentage when crossing these data with the effects and themes, it is possible to observe that a great part of the laws included in these two categories – individual and local coverage – refers to honorific titles like names of streets, bridges or roads, with neutral effects on society.

Table 2 shows the separation of the draft bills according to theme:

Table 2 – Laws of Deputies (by theme and %) approved from 2007 to 2010

Theme	Amount	Percentage	Cumulative Percentage
Honorific	107	57.8	57.8
Regulatory	58	31.4	89.2
Cultural – Scientific – Technological	4	2.2	91.4
Ecological	4	2.2	93.5
Health	4	2.2	95.7
Politics	3	1.6	97.3
Education	3	1.6	98.9
Economic	2	1.1	100.0
Total	185	100.0	

²The electronic address of the House of Representatives of Brazil is <http://www2.camara.leg.br/>

Source: Prepared by the author.

In the period in question, it is observed that the legislative production of the House of Representatives concentrates mainly on honorific draft bills. More than half of all the draft bills approved in the period (57.8%) refer to honors, like names of bridges, roads, public buildings, etc. Secondly, there are regulatory draft bills, which also show significant numbers (31.4%). Together, these account almost 90% of all legislative output in the period (89.2%). The other categories share the remaining 10.8% of the draft bills.

Table 3 presents the draft bills with respect to their effects:

Table 3 – Effects of the laws of the deputies approved in the period from 2007 to 2010, in quantity and %

Effects	Amount	Percentage	Cumulative
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			Percentage
Neutral	118	63.8	63.8
Beneficial	40	21.6	85.4
Mixed	25	13.5	
98.9			
Onerous	2	1.1	100.0
Total	185		100.0

Source: Prepared by the author.

More than half of the laws proposed and approved are neutral (63.8%), that is, they did not have their effects directly noticed. The following 21.6% were beneficial, while 13.5% were mixed and only 1.1% was onerous.

The preference of the parliamentarians of the period for the approval of draft bills without costs for the population or, at least, with costs that are not immediately perceived is evident. Moreover, it suggests a neutral overall performance, with a low impact on the political, economic and social situation of the country, which will be more evident when the effects and themes are related.

Table 4 shows the cross-referencing of the categories, allowing for a more evident picture of this situation.

Table 4 – Laws of Deputies by themes and effects, in quantity and%, approved between 2007 and 2010

Theme		Effects				Total
		Beneficial	Onerous	Mixed	Neutral	
Honorific 107	Amount	7	0	1	99	
	% of the line	6.5	0	0.9	92.5	100.0
Regulatory	Amount	20	2	22	14	58
	% of the line	34.5	3.4	37.9	24.1	100.0
Cultural – scientific – technological	Amount	2	0	0	2	4
	% of the line	50.0	0	0	50.0	100.0
Ecological	Amount	4	0	0	0	4
	% of the line	100.0	0	0	0	100.0

Health	Amount	2	0	0	2	4
	% of the line	50.0	0	0	50.0	100.0
Education	Amount	3	0	0	0	3
	% of the line	100.0	0	0	0	100.0
Politics	Amount	1	0	1	1	3
	% of the line	33.3	0	33.3	33.3	100.0
Economy	Amount	1	0	1	0	2
	% of the line	50.0	0	50.0	0	100.0
Total	Amount	40	2	25	118	185
	% of the line	21.6	1.1	13.5	63.8	100.0

Source: Prepared by the author.

The low impact of the laws of the House of Representatives approved in the period is clear. More than half of them have an honorific theme, among which 92.5% with neutral effects – that is, simple public naming of roads, buildings and streets.

The honorific category represents, as seen before, 107 of the 185 laws. Of these, only 7 have beneficial effects, which are draft bills related to national campaigns, such as PL n° 3176/2008, which establishes the national day to combat thrombosis.

Table 5 shows the intersection of the laws of the period by scope and effects:

Table 5 – Laws of Deputies by scope and effects in Quantity and% approved between 2007 and 2010

	Coverage	Effects				Total
		Beneficial	Onerous	Mixed	Neutral	
Sectorial	Amount	13	1	19	29	62
	% of the line	21.0	1.6	30.6	46.8	100.0
National	Amount	26	1	6	21	54
	% of the line	48.1	1.9	11.1	38.9	100.0
Individual	Amount	0	0	0	39	39
	% of the line	0	0	0	100.0	100.0

Local	Amount	1	0	0	27	28
	% of the line	3.6	0	0	96.4	100.0
Regional	Amount	0	0	0	2	2
	% of the line	0	0	0	100.0	100.0
Total	Amount	40	2	25	118	185
	% of the line	21.6	1.1	13.5	63.8	100.0

Source: Prepared by the author.

The great highlight here is for laws focused on a specific sector of society. The sectorial scope, as seen, is the one that appears most among the draft bills were approved, representing 33.5% of all draft bills in the period. However, of all draft bills at sectorial levels, most (about 47%) have a neutral impact, while 30.6% have a mixed effect, along with a 21% beneficial effect.

Although there is a high rate of neutrality, it is clear that more than half of all draft bills have some effect (be it beneficial, mixed or onerous). In fact, parliamentary activity does not totally refrain from acting in the regulation of economic and social activities.

It is also possible to highlight the national performance of the deputies. Regarding this level of comprehensiveness, we notice a behavior which is different from the others: the majority presents beneficial effects (48.1%). This suggests a pattern of diffuse parliamentary action, in which one tries to legislate in a way that brings benefits to an electorate that is not concentrated regionally, but dispersed.

This is accentuated when we observe the coverage data in isolation, as shown in Table 1. In an electoral system in which the deputies are elected by state, one could expect a parliamentary performance in which the focus was on their state electoral bases. However, we found that only two draft bills focused on States, 1.1% of the total.

Nonetheless, in the sequence, the data referring to the coverage of the draft bills can assume a considerable distributive performance, that is, clientelist, directly focused on bringing benefits to their electoral base with costs divided by the entire population, from the considerable number of draft bills at individual and local levels.

However, when contrasted with the effects, it is evident that, although the draft bills locally and individually concentrated are expressive almost in their totality (100%

of the individual and regional and 96.4% of the local ones), they are neutral draft bills that do not intend to change the status quo of the individuals whom they affect. In fact, these draft bills are those that honor people by putting their names on roads, bridges and streets.

Table 6 shows the relationship between the themes of the draft bills and their coverage. As shown earlier, honor-related draft bills are largely of no impact, being basically homages and celebrations, which makes their scope indifferent. On the other hand, what draws attention is the behavior of the regulatory theme. It works mainly on social sectors, as shown by the coverage (53.4% of the regulatory laws are sectoral). Another considerable part of the draft bills (44.8%) seeks to regulate national activities. This confirms a previously suggested pattern of action, in which the concern of the House of Representatives is latent with the regulation of certain activities, both at the sectorial and at the national level.

Table 6 – Laws of Deputies by theme and coverage, in quantity and%, approved between 2007 and 2010

Theme	Coverage						
	Sectorial	National	Individual	Local	Regional	Total	
Honorific	Amount	27	14	38	27	107	
	% of the line	25.2	13.1	35.5	25.2	0.9	100.0
Regulatory	Amount	31	26	0	0	1	58
	% of the line	53.4	44.8	0	0	1.7	100.0
Cultural - scientific – technological	Amount	2	1	1	0	0	4
	% of the line	50.0	25.0	25.0	0	0	100.0
Ecological	Amount	1	3	0	0	0	4
	% of the line	25.0	75.0	0	0	0	100.0
Health	Amount	0	4	0	0	0	4
	% of the line	0	100.0	0	.0	0	100.0

Education	Amount	0	3	0	0	0	3
	% of the line	0	100.0	0	0	0	100.0
Politics	Amount	0	3	0	0	0	3
	% of the line	0	100.0	0	0	0	100.0
Economy	Amount	1	0	0	1	0	2
	% of the line	50.0	0	0	50.0	0	100.0

Source: Prepared by the author.

5. Data analysis

The data provides a clear but at the same time complex picture. It should be noted that the House of Representatives proposes legislation that is predominantly of wide coverage, but with neutral influence, that is, of very low social impact, with no interest in changing the country's status quo. In other words, it is a system of activities in which parliamentarians, at the same time that do not propose laws of great impact in the national social, economic and political direction, they neither apparently propose distributive or clientelist policies, with local focus. Nevertheless, if there is a certain slowness, apathy or nullity in Parliament's legislative production, there is also a particular interest in regulating certain social activities. It should be noted that a significant part of the production is regulatory, although it is a secondary part of the overall amount.

Amorim Neto and Santos (2003) observe an approval pattern similar to that observed here. Contrary to what the model of inefficient secret predicts, which the authors intend to test, the draft bills of the period studied by them (draft bills of deputies passed into law in the period from 1985 to 1999 and all draft bills proposed in the year 1995) are characterized by being of national coverage, beneficial and predominantly of social content.

To explain this behavior, the authors argue that the concentration of institutional instruments in favor of the Executive branch, while controlling the legislative production, promotes a system of activities in which this Branch ends up focusing on abstract draft bills, that decide the general direction of the social and economic macro policies of the country. In this scenario, parliamentarians are responsible for regulating activities that

directly affect citizens' daily lives, but which are ignored by the Executive, causing parliamentarians to refrain from policies that effectively change the status quo.

It is believed that the same argument explains the interest of parliamentarians in regulatory policies. This type of policy is the expression of the parliamentary activity as a corrector of topical activities that are uninteresting for the macro political legislation proper to the Executive. On the other hand, being impacting on important sectors of society, they attract the electoral interests of the member of National Congress. It is no wonder that almost all this kind of policy is beneficial or mixed and only a very small part onerous.

But what the data also show is that, predominantly, parliamentary production is far from being regionally concentrated and oriented towards a clientelist performance, as the analyses of the early 1990s on the Brazilian Parliament supposed. What can be clearly seen is a legislative production with low social impact: laws predominantly honorific, nationally or sectorially oriented and mostly neutral. What might promote this pattern?

Figueiredo and Limongi (1995) also emphasize the immense prerogatives of the Executive regarding the legislative production. Through institutional means such as Provisional Measures, the possibility of requesting urgency and mainly the formation of the majority coalition of government, the Executive Branch ends up controlling the legislative process.

Besides being certainly the entity that most approves laws, according to the authors, the Executive's draft bills are those that have a shorter processing period until approval in comparison with all other legislative proponents, considering both draft bills with normal procedures and those with emergency arrangements. In addition, major areas of public legislation, such as budgetary and administrative-economic (hiring and establishment of public functions), are the President's exclusive prerogatives. This ends up blocking the parliamentarians from the most critical areas of legislative competence and their main possibility of clientelist activity, which is the direct targeting of funds for their electoral base.

This institutional regime deprives the assembly of its powers, alienating its members from the possibility of and interest in promoting efficient legislation, that is, one that has a direct social impact. On the other hand, it leads them to seek support in a diffuse electorate, dispersed by higher ranks or in sectors of society.

Ricci (2003), in his study on the legislative content of the period from 1991 to 2001, realizing that the parliamentary activity was directed to national draft bills, concludes that this was because the Brazilian electoral system combines proportional representation with a high population and regions of high electoral magnitude. This would lead parliamentarians to seek more general groups, dispersed at higher levels of coverage, in order to conquer them, signaling their political positions.

It is argued that this set of characteristics – agenda control, coalition formation, prerogative on key issues of the legislative process, such as budgeting and the creation and change of functions, added to a proportional electoral system with a high population and a high electoral magnitude, runs over the legislative action to such an extent that it pushes it to nullity, relegating to the House of Representatives an increasingly focused action on accessory matters, such as the nomenclature of roads, bridges and public buildings. With the consolidation of the young Brazilian democracy, this scenario tends to deepen, as it probably has been happening. If in the first studies on the characteristics of the legislative production the draft bills of honorific themes did not constitute a significant percentage of the parliamentary production, today it can be observed that this theme dominates in an absolute way. New studies comparing the characteristics of legislative output over time are needed to confirm this trend, which apparently will worsen over the long term.

Based on the data, the Parliament is now much more an arena of counter-power and balancing than a propositional and constructive actor in the democratic system. Deputies balance the power system by making themselves necessary for the composition of the majority coalition to make it possible for the Executive to control the parliamentary agenda. That is because the winning party in the presidential election needs to get support in Congress to maintain governability. To do so, it abandons a unitary political agenda and it is willing to incorporate the interests of other expressive parties into Parliament, thus building a common agenda that does not represent the interest of just one party, but rather compiled and compacted interests of the support base.

With this, it is possible to see that, indeed, the Brazilian coalition presidential system does not distance itself so much from the European parliamentary system when one considers the dominance of the Executive over the Parliament and the dependence of its action on a cohesive majority in Congress.

6. Conclusions

In general terms, it was possible to observe that the House of Representatives does not present, considering the laws approved in the period in question, a significant production regarding the commitment to some transformation of the social and economic process of the country. Indeed, the pattern observed was mostly national and sectorial laws, with neutral effects and honorific themes, unlike what was observed in other analyses.

These characteristics might be the result of an institutional arrangement that concentrates the legislative production in the hands of the Executive Branch – ensuring special institutional instruments such as the issuance of Provisional Measures and an urgent request; centralization of the House of Representative's activities; control of the budget, of the creation and of the salaries of public jobs and formation of a party coalition – which would allows that this Branch to govern the economic and social macro-policies of the country, gradually weakening the legislative capacity of the Congress, which ends up focusing mainly on neutral laws, such as honorific ones, like street and public building naming, as well as regulatory and sectorial laws, in the background.

While the coverage of the laws approved in the period was predominantly national, on the other hand, it can be seen that there is also a concern of parliamentarians in relation to the regulation of some economic and social activities of sectors of society. These results can be explained by a set of factors that refer both to the institutional ordering cited by the Parliament and to the electoral system and the composition of the Brazilian population.

It was seen that, because the electoral system is proportional and of high district magnitude, a parliamentary behavior is promoted, which seeks to reach a diffuse electorate, dispersed at the levels of national and sectorial coverage. The deputies are working to establish a position with their electorate rather than bringing locally concentrated benefits. With the institutional regime guaranteeing the control of the agenda by the Executive and this being responsible for laws regarding economic and social macro-policies, of indirect influence and less explicit in daily life, it is left to the parliamentarians the regulation of activities of direct contact with the citizens. Areas which, on the one hand, are uninteresting for the macro-political production of the

President, on the other hand, they concern social sectors that are interesting for the electoral motivations of parliamentarians.

In this scenario, the Parliament is a passive entity that plays a much more counterbalancing than proposing role in the Brazilian democratic system. Before proposing laws that have significant effects or themes, it seems that it acts more eloquently in the formation of the governmental coalition and in the composition of the agenda of the Executive Branch, requiring the formation of a common agenda so that the party of the President conquers a majority part of the Parliament.

It is suggestive that the early works that analyzed the characteristics of the legislative production did not observe a predominance of honorific and null draft bills as eloquently as it was observed here. This seems to indicate that the artifices that guarantee the control of the Executive over the legislative are causing, in a predominant way and in the long term, the emptying of the legislative proposals proper to the House of Representatives, which may have been masked due to the serious economic and political crises through which the country went in the early years of the current democratic period, the period of focus of the studies cited.

In order to obtain the general patterns of the legislative result, in view of the current institutional constraints of the Brazilian Congress, historical works are needed to seek to relativize the evolution of the legislative production over the years, with special attention to partisan alignments and the formation of coalition, in order to understand the specific influences of each of these entities – if they exist – in determining the characteristics of the legislative production, whether in the House or the Congress itself, and their consequences in the long term.

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Article received in July 8, 2016

Article accepted for publication in October 26, 2016